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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/849,997	05/20/2004	Leonard Persits	273 P 027	8761
7590 06/30/2005			EXAMINER	
Edward L. Bishop Wallenstein Wagner & Rockey, Ltd. 53rd Floor 311 South Wacker Drive Chicago, IL 60606-6630			DINH, PHUONG K	
			ART UNIT	PAPER NUMBER
			2839	

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/849,997

Applicant(s)

PERSITS, LEONARD

Examiner

Phuong KT Dinh

Art Unit

2839

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 May 2004.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-38 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-38 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ 09104
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1, 7-11, 13, 15, 21-24, 26 are rejected under 35 U.S.C. 102(b) as being anticipated by Cetola (U. S. Patent 3,813,626).

3. Regarding claims 1, 13, 15, 26, Cetola discloses a fuse block cover 10 comprising: a body having a first end and a second end; a first end cover connected to the first end of the body for covering at least a portion of an opening in a fuse block a pair of opposing fuse gripping 11, 31 connected to the body, each fuse gripper comprising a proximal end connected to the body; a distal end 25 with a protrusion opposite the proximal end and a middle portion between the proximal end and the distal end wherein the middle portions and the distal end of the opposing fuse grippers are in spaced relationship to removably engage a fuse. For claims 7, 21, intended use with transformer does not overcome prior art. Note that claims are to a "fuse block cover" and feature of the fuse block cannot be relief upon for patentability.

4. Regarding claims 8, 22, Cetola discloses a second cover 20b connected to the second end of the body for covering at least a portion of the opening in the fuse block.

5. Regarding claims 9, 23, Cetola discloses the first end cover and the second end cover are integrally connected to the body.

Art Unit: 2839

6. Regarding claims 10, 24, Cetola discloses the fuse grippers are integrally with the body.

7. Regarding claim 11, Cetola discloses the fuse grippers are connected to the body at a midpoint between the first end and the second end. For Claim 15 read on gripper pairs 31, 32 (figures 4, 5).

Claim Rejections - 35 USC § 103

8. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

9. Claims 2 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celota in view of Trammell, Jr. (U. S. Patent 4,541,311).

10. Regarding claims 2 and 16, Celota discloses the claimed invention except for the protrusion is a barb. Trammell, Jr. discloses the protrusion is a barb at 32. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Celota to provide the protrusion is a barb as taught by Trammell so as to provide for better engagement.

11. Claims 3, 6, 12, 17, 20, 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celota.

12. Regarding claims 3 and 17, Celota discloses the claimed invention except for the fuse block is mounted on a structure and the fuse comprises: a generally cylindrical

Art Unit: 2839

member having a first fuse end and a second fuse end; a first metallic cap on the first fuse end and a second metallic cap on the second fuse end and a metallic strip housed within the generally cylindrical member and coupled to the first and second metallic caps. It would have been obvious to one of ordinary skill in the art at the time the invention was made to form Cetola to provide the fuse block is mounted on a structure and the fuse comprises: a generally cylindrical member having a first fuse end and a second fuse end; a first metallic cap on the first fuse end and a second metallic cap on the second fuse end and a metallic strip housed within the generally cylindrical member and coupled to the first and second metallic caps because this would provide a standard features, admittedly known in the art and further provide no structural limitation to the "fuse block cover".

13. Regarding claims 6 and 20, Celota discloses the claimed invention except for the fuse block is mounted on a structure associated with an electrical panel or a fuse box. It would have been obvious to one of ordinary skill in the art at the time the invention was made to form Cetola to provide for the fuse block is mounted on a structure associated with an electrical panel or a fuse box, since the fuse blocks are typically mounted on panels or located in fuse boxes.

14. Regarding claims 12, 25, Cetola discloses the claimed invention except for the ledge with integral with and extending from the first end. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Cetola to provide figure 4 cover with ledges in view of those at 21, 22 so as to aid in cover removal.

Art Unit: 2839

15. Claims 4, 5, 18-19, 28, 30, 31, 32, 33, 34, 36-38 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celota in view of Johnson (U. S. Patent 6,630,626).

16. Regarding claims 4 and 18, Celota discloses the claimed invention except for a first indentation and a second indentation on the body. Johnson discloses a first indentation 58 and a second indentation 58 on the body. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Celota to provide the first and second indentations on the body as taught by Johnson so as to allow the wires to enter and exist the fuse block.

17. Regarding claims 5 and 19, Celota and Johnson discloses the claimed invention except for one or more indentations in the body wherein each indentation is sized to prevent an object having a diameter of about 12 millimeters from passing through the indentation when the cover is installed on the fuse block. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify one or more indentations in the body wherein each indentation is sized to prevent an object having a diameter of about 12 millimeters from passing through the indentation when the cover is installed on the fuse block, since it has been held that where the general conditions of a claim are disclosed in the prior art, discovering the optimum or workable ranges involves only routine skill in the art. In re Aller, 105 USPQ 233. For claims 28, 30-34 and 36-38, Celota in view of Johnson as discussed above.

18. Claims 14 and 27 are rejected under 35 U.S.C. 103(a) as being unpatentable over Celota in view of Matsumono (U. S. Patent 6, 196,858).

Art Unit: 2839

19. Regarding claims 14 and 27, Celota discloses the claimed invention except for a clip having a barb end, the clip extending from the fuse block, and a recess in the body of the fuse block. Matsumono discloses the clip at 27 and a recess at 30a. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Celota to provide the clip and a recess as taught by Matsumono so as to provide for securement of the cover to the fuse block.

20. Claim 29 is rejected under 35 U.S.C. 103(a) as being unpatentable over Celota in view of Johnson and further in view of Trammell, Jr.

21. Regarding claim 29, Celota in view of Johnson disclose the claimed invention except for the protrusion is a barb. Trammell, Jr. discloses as discussed above.

22. Claim 35 is rejected under 35 U.S.C. 103(a) as being unpatentable over Celota in view of Johnson and further in view of Matsumono (U. S. Patent 6, 196,858).

23. Regarding claim 35, Celota in view of Johnson disclose the claimed invention except for the clip and the recess. Matsumono discloses as discussed above.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Phuong KT Dinh whose telephone number is 571-272-2090. The examiner can normally be reached on 8 -5, 5 days a week.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, TC Patel can be reached on 571-272-2098. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Art Unit: 2839

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

A handwritten signature in black ink, appearing to read 'Phuong Dinh', is written over a horizontal line.

Phuong Dinh
June 20, 2005.

Phuong KT Dinh
Primary Examiner
Art Unit 2839